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3 BILL NO. G-79- 05-26 (as amended)

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5 GENERAL ORDINANCE NO. G- 14-79

6 AN ORDINANCE AMENDING ARTICLE III
7 CHAPTER 27, SECTIONS 27-22-27-23;
8 27-24; 27-25; 27-26; 27-27; 27-31;
9 27-32; AND ADDING SECTION 27-33 OF THE
10 CODE OF THE CITY OF FORT WAYNE OF 1974.

11 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
12 WAYNE, INDIANA:

13 Section 1. That Sections 27-22, 27-23, 27-24, 27-25, 27-26,
14 27-27, 27-31, 27-32 be repealed and the following Sections shall
15 be substituted therefor, and that Section 27-33 be added as
16 follows:

17 Section 27-22. Definitions. ~~For the purposes of this article,~~
18 ~~the following words and phrases shall have the meanings res-~~
19 ~~pectively ascribed to them by this section:~~ The following
20 definitions shall apply in the interpretation and enforcement
21 of this Chapter:

- 22 (a) "Swimming Pool" shall mean an artificial pool
23 of water and auxiliary structures including
24 dressing and locker rooms, toilets, showers
25 and other areas and enclosures that are intended
26 for the use of persons using the pool, but
27 shall not include pools and auxiliary struc-
28 tures and equipment at private residences in-
29 tended only for the use of the owners and friends.
- 30 (b) "Beach" shall mean any natural or artificial
31 waterway or impoundment, or any portion thereof
32 which is used for swimming or wading purposes,
33 including structures used as dressing rooms,
34 locker rooms, toilets, showers, and other areas
35 and enclosures intended for the use of persons
using the beach.
- (c) "Health Officer" shall mean The Health Officer
of the city-county board of health ~~or his~~
~~authorized representative, or his or her~~
authorized representative except where otherwise
stated.
- (d) "Person" shall mean a corporation, firm, partner-
ship, association, organization or any other
group acting as a unit, as well as a natural
person.
- (e) "Board of Health" shall mean the City-County
Board of Public Health of Allen County, Indiana.

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3 Section 27-23. Authority of health officer.

4 In case of emergency,
5 the health officer alone is empowered to make
6 rules and regulations to carry out, interpret
7 and make effective the provisions of this article;
8 provided that all such rules and regulations shall
9 be recorded in a permanently bound book kept for
10 such purposes and open to the general public inspection;
11 and provided, that no such regulation or rule
12 shall be effective for a period longer than sixty
13 days unless formally ratified by the city-county
14 board of health.

15 Section 27-24. Permits - Generally.

16 Swimming Pool or Beach Permit.

17 (a) Requirements in City. Required;--display;--compliance--
18 with article;--term;--contents.

19 (1) It shall be unlawful for any person to
20 operate a swimming pool or beach in the City
21 of Fort Wayne, Indiana, who does not possess a
22 valid permit from the Health Officer. Such permit
23 shall be posted in a conspicuous place at such
24 swimming pool or beach. Only persons who comply
25 with the applicable requirements of this Article
26 shall be entitled to receive and retain such
27 a permit. The permit shall be for a term of
28 one year beginning with the date of issue and
29 is to be renewed annually on the anniversary
30 date thereof. Any permit issued by the Health
31 Officer shall contain the name and address of
32 the person to whom the permit is granted, the
33 address of the premises for which the same is
34 issued, and such other pertinent date as may
35 be required by the Health Officer.

36 (2) ~~Separate-permit-required.~~ A separate
37 permit shall be required for each swimming pool
38 or beach operated or to be operated by any
39 person.

40 (3) ~~Issuance;--inspection-and-approval.~~ A permit
41 shall be issued on application, after inspection
42 and approval by the Health Officer; provided,
43 that the swimming pool or beach has been constructed
44 under plans approved by the State
45 Health Commissioner and under a permit issued
46 by the city-county building department and
47 that its operation complies with this article.

48 (4) ~~Renewal;--denial;--revocation.~~ No permit or
49 renewal thereof shall be denied or,revoked on
50 arbitrary or capricious grounds.

51 (5) ~~Application-forms;--contents-of-forms.~~
52 Application for such a permit shall be made
53 to the health officer on forms provided by the
54 health officer for such purpose. Such forms
55 shall, when completed, show the name of the
56 applicant, address, the name under which he
57 or it intends to operate, the address of the
58 establishment, the approval of plans by the
59 state health commissioner and the issuance

of a construction permit by the city-county building department.

(6) ~~Transfer~~. Permit not Transferable: No permit issued under this ~~article~~ chapter to any person shall be transferable.

(7) Permit Fees.

Every applicant for a permit under this ~~article~~ chapter shall pay to the Fort Wayne-Allen County Board of Public Health a fee of ~~seventy-five~~ one hundred dollars for each pool and beach open each year for six months or less and a fee of ~~one-hundred-fifty~~ one hundred seventy-five dollars for each pool or beach open for the entire year.

Permit Fee Exemption: The permit fee provisions of this ~~article~~ chapter shall not apply to swimming pools and beaches operated by religious, educational, and charitable institutions or governmental units.

Two or more swimming pools or beaches located upon the same property and operated by the same person shall be deemed a single pool or beach for permit fee purposes.

Section 27-25. ~~Same~~ - Suspension, Revocation and Re-instatement of permits:

(a) Suspension of Permit: Any permit issued under this ~~article~~ chapter may be temporarily suspended by the health officer without notice of hearing, except as herein provided, for a period of not to exceed 30 days, for any of the following reasons:

(1) Failure to meet any of the standards required by this ~~article~~ chapter:

(2) Violation of any provision or provisions of this ~~article~~ chapter:

(3) Interference with the health officer of any of his authorized representatives in performance of their duties; provided, that if such failure, violation or interference is not such that continuation thereof may constitute an immediate danger to public health, forty-eight hours written notice to comply shall first be given: provided that upon written application from the permittee, served upon the health officer within 15 days after such suspension, the health officer shall conduct a hearing upon the matter after at least 5 days written notice of the time, place and purpose thereof to the suspended permittee; provided that any such suspension order shall be issued by the health officer in writing and served upon the permittee or by delivery by certified mail to such address.

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3 (b) Revocation of Permit: Any permit issued hereunder
4 may be revoked by the health officer for will-
5 ful or continuous violation of any provision
6 or provisions of this article; provided, however,
7 that no such revocation shall be ordered by the
8 health officer except upon hearing and at least
9 ten days written notice of the time, place and
10 nature thereof. Such notice shall be served
11 upon the permittee by leaving a copy at his usual
12 place of business or by delivery by certified
13 mail to such address. At such hearing, every
14 person who is a party to such proceedings shall
15 have the right to submit evidence and to cross-examine
16 witnesses and to be represented by counsel. All
17 such hearings shall be conducted in an informal
18 manner, but irrelevant, immaterial or unduly
19 repetitious evidence shall be excluded. Upon the
20 conclusion of such hearing, the health officer
21 shall make a final order determining the issue
22 in the case, which order shall be final and
23 conclusive upon all parties: provided, however,
24 that such order may be reviewed as hereafter
25 provided. Any person aggrieved by such an
26 order of the health officer shall be entitled
27 to a review of such order before the board of
28 health, by filing a written application therefor
29 with the secretary of ~~such~~ said board within
30 15 days after such order is issued. Upon receipt
31 of such application, the board of health shall,
32 hear the matter de novo in open hearing for
33 which at least 10 days notice of the time, place
34 and purpose thereof shall be issued by the
35 secretary of the board to all persons affected.
Such notice may be served upon the persons af-
fected by leaving a copy at their usual place of
business or by delivery by certified United
State mail to such address. At such hearing,
the same rules or procedure shall apply as in
the case of the hearing before the health officer;
provided, only that upon written demand by the
permittee affected, the board of health shall
cause the proceedings before it to be recorded
by a stenographer or reporter employed for such
purpose, and such proceedings together with all
papers and documents filed therein, shall be
reproduced by the board in the form of a transcript,
a copy of which shall be available to any party.
The expense of such proceedings shall be charged
to the party applying for the review, except that
copies of transcripts shall be at the expense
of the party obtaining such copies. The board
may require the party applying for a review to
deposit with such application an amount deter-
mined by it as necessary to secure such expense.
The board shall make written findings of the facts
in the case and shall enter its final order or
determination of the matter in writing in the
permanent records of the board.

32 (c) Reinstatement of Permit: Any person whose permit
33 has been suspended at any time may make application
34 for the reinstatement of his permit.
35

Section 27-26. Sanitation and safety.

(a) ~~Compliance-with-and-determination-of-sanitary-and safety-requirements.~~

All swimming pools and beaches shall comply with the accepted and prevailing sanitary and safety requirements. In determining the accepted and prevailing requirements for pools, the health officer shall be governed by the regulations of the Indiana State Board of Health H.S.E. 16-R or as the same may be hereafter changed or amended. Such regulations are by reference incorporated herein and made part hereof, two copies of which shall be on file in the office of the city clerk and the city-county board of health for public inspection. The same sanitation standards applicable to the auxiliary facilities of swimming pools, such as dressing rooms, toilets, bathing suits, etc., shall be applied to such auxiliary facilities of beaches.

(b) ~~Location-of-beaches-restricted.~~ Beaches shall not be located in areas subject to pollution by sewage. In determining the accepted and prevailing sanitary standards for beaches, the sanitary officer shall be governed by the coliform index as conducted by the methods described in "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by American Public Health Association, American Waterworks Association, and Federation of Sewage in Industrial Wastes Association, current edition.

(c) Whole body contact: The fecal coliform content (either in the MPN or MH count) shall not exceed 200 per 100 ml as a monthly geometric mean based on not less than 5 samples per month; nor exceed 400 per 100 ml in more than 10 percent of all the samples taken during the month. The months of April through October, inclusive, are designated as the recreational season for beaches.

Section 27-27. Inspection.

(a) Frequency of Inspection: The health officer shall inspect swimming pool or beach for which a permit is required under the provisions of this article at least once each month during the season for which the pool is open, and may require tests and reports each week.

(b) Procedure when violations noted: If during the inspection of any swimming pool or beach, the health officer discovers the violation of any of the sanitary requirements in Section 27-26 he shall issue a written order listing such violations to the operator or, in his absence, to the person in charge and fixing a time within which the said operator of said swimming pool or beach shall abate and remedy such violations. A copy of the written order shall be filed in the records of the health department.

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3 (c) Authority to inspect and to copy records. The
4 operator of the swimming pool or beach shall,
5 upon the request of the health officer, permit
6 access to all parts of such swimming pool or
7 beach and shall permit copying any or all
8 records relating to the enforcement of this
9 article.
- 7 (d) Inspection outside of the city. Any person
8 desiring inspection of a pool or beach outside
9 of the city shall pay to the city a fee of
10 fifteen dollars for each inspection requested.

11 Section 27-31. Prosecution of violators.

12 If upon a second inspection the health officer
13 finds that any swimming pool or beach, which
14 was in violation on a previous inspection,
15 and concerning which a written order was
16 issued, is again in violation of any of the
17 provisions of this article the health officer
18 shall furnish evidence of the violation to the
19 city attorney, who shall prosecute all persons
20 violating said provisions of this article.

21 Section 27-32. Penalty.

22 Any person who violates any provision of this
23 chapter shall be subject to a penalty of not
24 more than three hundred dollars for each offense.
25 Each and every violation of the provisions of
26 this chapter and each day that the same continues
27 shall constitute a separate offense.

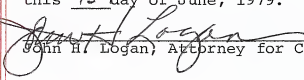
28 Section 27-33. Severability of provisions of sections
29 27-22 to 27-31.

30 Should any section, paragraph, sentence, clause
31 or phrase of sections 27-22 to 27-31 be adjudged
32 invalid or unconstitutional for any reason,
33 the remainder of such sections shall not be
34 affected thereby.

35 Section 2. This Ordinance shall be in full force and
effect after its passage, approval by the Mayor and legal
publication thereof.

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38 
39 Councilman

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43 Approved as to form and legality
44 this 15th day of June, 1979.

45 
John H. Logan, Attorney for Common Council.

Read the first time in full and on motion by Stier, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 1979, at _____ o'clock _____ M., E.S.T.

DATE: 5-22-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOSS~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 6-26-79

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-14-79 on the 26th day of June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winifred C. Wingo Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 5 day of July, 1979, at the hour of 3:30 o'clock P. M., E.S.T.

Robert E. Armstrong
MAYOR

5 GENERAL ORDINANCE NO. G-_____

6 AN ORDINANCE AMENDING ARTICLE III
7 CHAPTER 27, SECTIONS 27-22; 27-23;
8 27-24; 27-25; 27-26; 27-27; 27-31; 27-32
9 AND ADDING SECTION 27-33 OF THE
CODE OF THE CITY OF FORT WAYNE OF
1974.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
11 WAYNE, INDIANA:

12 Section 1. That Sections 27-22, 27-23, 27-24, 27-26, 27-27,
13 27-31, 27-32 be repealed and the following Sections shall be
14 substituted therefor, and that Section 27-33 be added as follows:

15 Section 27-22. Definitions. The following definitions
16 shall apply in the interpretation and enforcement of this Chapter:

- 17 (a) "Swimming Pool" shall mean an artificial pool
18 of water and auxiliary structures including
19 dressing and locker rooms, toilets, showers and
20 other areas and enclosures that are intended for
the use of persons using the pool, but shall not
include pools and auxiliary structures and equip-
ment at private residences intended only for the
use of the owners and friends.
- 21 (b) "Beach" shall mean any natural or artificial water-
22 way or impoundment, or any portion thereof which
23 is used for swimming or wading purposes, including
structures used as dressing rooms, locker rooms,
toilets, showers, and other areas and enclosures
intended for the use of persons using the beach.
- 24 (c) "Health Officer" The Health Officer of the City-
25 County Board of Health or his authorized repre-
sentative.
- 26 (d) "Person" A corporation, firm, partnership,
27 association, organization or any other group acting
as a unit, as well as a natural person.
- 28 (e) "Board of Health" The City-County Board of Public
29 Health of Allen County, Indiana.

30 Section 27-23. Authority of health officer.

31 The health officer is empowered to make rules and
32 regulations to carry out, interpret and make
effective the provisions of this article; provided
33 that all such rules and regulations shall be
recorded in a permanently bound book kept for
34 such purposes and open to the general public inspec-
tion; and provided, that no such regulation or
rule shall be effective for a period longer than
35 sixty days unless formally ratified by the city-
county board of health.

Section 27-24. Permits - Generally.

Swimming Pool or Beach Permit.

(a) Requirement in City

(1) It shall be unlawful for any person to operate a swimming pool or beach in the City of Fort Wayne, Indiana, who does not possess a valid permit from the Health Officer. Such permit shall be posted in a conspicuous place at such swimming pool or beach. Only persons who comply with the applicable requirements of this Article shall be entitled to receive and retain such a permit. The permit shall be for a term of one year beginning with the date of issue and is to be renewed annually on the anniversary date thereof. Any permit issued by the Health Officer shall contain the name and address of the person to whom the permit is granted, the address of the premises for which the same is issued, and such other pertinent data as may be required by the Health Officer.

(2) A separate permit shall be required for each swimming pool or beach operated or to be operated by any person.

(3) A permit shall be issued on application, after inspection and approval by the Health Officer; provided, that the swimming pool or beach has been constructed under plans approved by the State Health Commissioner and under a permit issued by the City-County Building Department and that its operation complies with this Article.

(4) No permit or renewal thereof shall be denied or revoked on arbitrary or capricious grounds.

(5) Application for such a permit shall be made to the Health Officer on forms provided by the Health Officer for such purpose. Such forms shall, when completed, show the name of the applicant, address, the name under which he or it intends to operate, the address of the establishment, the approval of plans by the State Health Commissioner and the issuance of a construction permit by the City-County Building Department.

(6) Permit Not Transferable: No permit issued under this Chapter to any person shall be transferable.

(b) Permit Fees

(1) Every applicant for a permit under this Article shall pay to the City of Fort Wayne a fee of \$100.00 for each pool and beach open each year for six months or less and a fee of \$175.00 for each pool or beach open for the entire year.

(2) Permit Fee Exemption: The permit fee provisions of this Article shall not apply to swimming pools and beaches operated by religious, educational, and charitable institutions or governmental units.

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5 (3) Two or more swimming pools or beaches
6 located upon the same property and
7 operated by the same person shall be
deemed a single pool or beach for
permit fee purposes.

8 Section 27-25. Suspension, Revocation and Reinstatement of
9 Permits:

- 10 (a) Suspension of Permit: Any permit issued under this
11 Chapter may be temporarily suspended by the Health
12 Officer without notice or hearing, except as herein
13 provided, for a period of not to exceed 30 days,
for any of the following reasons:

14 (1) Failure to meet any of the standards required
15 by this Chapter:

16 (2) Violation of any provision or provisions of
17 this Chapter:

18 (3) Interference with the Health Officer of any
19 of his authorized representatives in performance
20 of their duties: provided, that if such failure,
21 violation or interference is not such that contin-
22 uation thereof may constitute an immediate danger
23 to public health, forty-eight hours written notice
to comply shall first be given; provided that
upon written application from the permittee,
served upon the Health Officer within 15 days after
such suspension, the Health Officer shall conduct
a hearing upon the matter after at least 5 days
written notice of the time, place and purpose
thereof to the suspended permittee; provided
that any such suspension order shall be issued
by the Health Officer in writing and served upon
the permittee or by delivery by Certified Mail
to such address.

- 24 (b) Revocation of Permit: Any permit issued hereunder
25 may be revoked by the Health Officer for willful or
26 continuous violation of any provision or provisions
27 of this Chapter; provided, however, that no such
28 revocation shall be ordered by the Health Officer
except upon hearing and at least 10 days written
notice of the time, place and nature thereof. Such
notice shall be served upon the permittee by leav-
ing a copy at his usual place of business or by

delivery by Certified Mail to such address. At such hearing, every person who is a party to such proceedings shall have the right to submit evidence and to cross-examine witnesses and to be represented by counsel. All such hearings shall be conducted in an informal manner, but irrelevant, immaterial or unduly repetitious evidence shall be excluded. Upon the conclusion of such hearing, the Health Officer shall make a final order determining the issue in the case, which order shall be final and conclusive upon all parties: provided, however, that such order may be reviewed as hereafter provided. Any person aggrieved by such an order of the Health Officer shall be entitled to a review of such order before the Board of Health, by filing a written application therefor with the Secretary of said Board within 15 days after such order is issued. Upon receipt of such application, the Board of Health shall hear the matter de novo for which at least 10 days notice of the time, place and purpose thereof shall be issued by the Secretary of the Board to all persons affected. Such notice may be served upon the persons affected by leaving a copy at their usual place of business or by delivery by Certified United States Mail to such address. At such hearing, the same rules of procedure shall apply as in the case of the hearing before the Health Officer; provided, only, that upon written demand by the permittee affected, the Board of Health shall cause the proceedings before it to be recorded by a stenographer or reporter employed for such purpose, and such proceedings together with all papers and documents filed therein, shall be reproduced by the Board in the form of a transcript, a copy of which shall be available to any party. The expense of such proceedings shall be charged to the party applying for the review, except that copies of transcripts shall be at the expense of the party obtaining such copies. The Board may require the party applying for a review to deposit with such application an amount determined by it as necessary to secure such expense. The Board shall make written findings of the facts in the case and shall enter its final order or determination of the matter in writing in the permanent records of the Board.

- (c) Reinstatement of Permit: Any person whose permit has been suspended at any time may make application for the reinstatement of his permit.

Section 27-26 Sanitation and safety:

- a) All swimming pools and beaches shall comply with the accepted and prevailing sanitary and safety requirements. In determining the accepted and prevailing requirements for pools, the Health Officer shall be governed by the regulations of the Indiana State Board of Health H.S.E. 16-R or as the same may be hereafter changed or amended. Such regulations are by reference incorporated herein and made part hereof, two copies of which shall be on file in the office of the City Clerk and the City-County Board of Health for public inspection.

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3 The same sanitation standards applicable to the
4 auxiliary facilities of swimming pools, such as
5 dressing rooms, toilets, bathing suits, etc., shall
6 be applied to such auxiliary facilities of beaches.

- 7 (b) Beaches shall not be located in areas subject to
8 pollution by sewage. In determining the accepted
9 and prevailing sanitary standards for beaches, the
10 Sanitary Officer shall be governed by the coliform
11 index as conducted by the methods described in
12 "Standard Methods for the Examination of Water,
13 Sewage and Industrial Wastes" published jointly
14 by American Public Health Association, American
15 Waterworks Association, and Federation of Sewage
16 in Industrial Wastes Association, current edition.

- 17 (c) Whole body contact: The fecal coliform content
18 (either in the MPN or MH count) shall not exceed
19 200 per 100 ml as a monthly geometric mean based
20 on not less than 5 samples per month; nor exceed
21 400 per 100 ml in more than 10 percent of all the
22 samples taken during the month. The months of
23 April through October, inclusive, are designated
24 as the recreational season for beaches.

25 Section 27-27 Inspection.

- 26 (a) Frequency of Inspection: The Health Officer shall
27 inspect swimming pool or beach for which a permit
28 is required under the provisions of this Article
29 at least once each month during the season for which
30 the pool is open, and may require tests and
31 reports each week.

- 32 (b) Procedure when violations noted: If during the
33 inspection of any swimming pool or beach, the Health
34 Officer discovers the violation of any of the sani-
35 tary requirements in Section 27-26 he shall issue
a written order listing such violations to the opera-
tor or, in his absence, to the person in charge
and fixing a time within which the said operator
of said swimming pool or beach shall abate and
remedy such violations. A copy of the written
order shall be filed in the records of the Health
Department.

- 36 (c) Authority to Inspect and to Copy Records: The
37 operator of the swimming pool or beach shall, upon
38 the request of the Health Officer, permit access
39 to all parts of such swimming pool or beach and
40 shall permit copying any or all records relating
41 to the enforcement of this Article.

- 42 (d) Inspection outside of the City: Any person
43 desiring inspection of a pool or beach outside
44 of the City shall pay to the City a fee of \$15.00
45 for each inspection requested.

Section 27-31 Prosecution of violators:

If upon a second inspection the Health Officer finds that any swimming pool or beach, which was in violation on a previous inspection, and concerning which a written order was issued, is again in violation of any of the provisions of this Article the Health Officer shall furnish evidence of the violation to the City Attorney, who shall prosecute all persons violating said provisions of this Article.

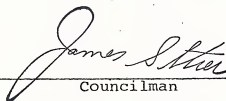
Section 27-32 Penalty:

Any person who violates any provision of this Chapter shall be subject to a penalty of not more than \$300.00 for each offense. Each and every violation of the provisions of this Chapter and each day that the same continues shall constitute a separate offense.

Section 27-33 Severability:

Should any section, paragraph, sentence, clause or phrase of Sections 27-22 to 27-32 be adjudged invalid or unconstitutional for any reason, the remainder of such Sections shall not be affected thereby.

Section 2. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and legal publication thereof.



Councilman

Swimming
Pool - Beach
as
amended

1 Held
6/12/79
Held

Bill No. G-79-05-26 as amended)

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance

AMENDING ARTICLE III CHAPTER 27, SECTIONS 27-22; 27-23; 27-24;

27-25; 27-26; 27-27; 27-31; 27-32; AND ADDING SECTION 27-33 OF THE

CODE OF THE CITY OF FORT WAYNE OF 1974

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS. (as amended)

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NUCKOLS

SAMUEL J. TALARICO

James S. Stier

William T. Hinga

Vivian G. Schmidt

John Nuckols

Samuel J. Talarico

6-26-79 CONCURRED IN

DATE 6-26-79 CHARLES W. WESTERMAN, CITY CLERK

Memorandum

To Councilmen

Date June 18, 1979

From John H. Logan

Subject Bill No. 79-03

COPIES TO:

Please be advised that changes and corrections to existing Code Sections are indicated by the separated line (-----) drawn through provisions of existing Code. Wherever there is underlining (_____) this indicates an addition to the present Code.

J.H.L.

BILL NO. G-79-05-26

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE AMENDING ARTICLE III
CHAPTER 27, SECTIONS 27-22-27-23;
27-24; 27-25; 27-26; 27-27; 27-31;
27-32; AND ADDING SECTION 27-33 OF THE
CODE OF THE CITY OF FORT WAYNE OF 1974.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

Section 1. That Sections 27-22, 27-23, 27-24, 27-25, 27-26,
27-27, 27-31, 27-32 be repealed and the following Sections shall
be substituted therefor, and that Section 27-33 be added as
follows:

Section 27-22. Definitions. ~~For the purposes of this article,~~
~~the following words and phrases shall have the meanings res-~~
~~pectively ascribed to them by this section:~~ The following
definitions shall apply in the interpretation and enforcement
of this Chapter:

- (a) "Swimming Pool" shall mean an artificial pool of water and auxiliary structures including dressing and locker rooms, toilets, showers and other areas and enclosures that are intended for the use of persons using the pool, but shall not include pools and auxiliary structures and equipment at private residences intended only for the use of the owners and friends.
- (b) "Beach" shall mean any natural or artificial waterway or impoundment, or any portion thereof which is used for swimming or wading purposes, including structures used as dressing rooms, locker rooms, toilets, showers, and other areas and enclosures intended for the use of persons using the beach.
- (c) "Health Officer" shall mean The Health Officer of the city-county board of health or his authorized representative, or his or her authorized representative except where otherwise stated.
- (d) "Person" shall mean a corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.
- (e) "Board of Health" shall mean the City-County Board of Public Health of Allen County, Indiana.

Section 27-23. Authority of health officer.

In case of emergency, the health officer alone is empowered to make rules and regulations to carry out, interpret and make effective the provisions of this article; provided that all such rules and regulations shall be recorded in a permanently bound book kept for such purposes and open to the general public inspection; and provided, that no such regulation or rule shall be effective for a period longer than sixty days unless formally ratified by the city-county board of health.

Section 27-24. Permits - Generally.

Swimming Pool or Beach Permit.

(a) Requirements in City. Required display, compliance with article, term, contents.

(1) It shall be unlawful for any person to operate a swimming pool or beach in the City of Fort Wayne, Indiana, who does not possess a valid permit from the Health Officer. Such permit shall be posted in a conspicuous place at such swimming pool or beach. Only persons who comply with the applicable requirements of this Article shall be entitled to receive and retain such a permit. The permit shall be for a term of one year beginning with the date of issue and is to be renewed annually on the anniversary date thereof. Any permit issued by the Health Officer shall contain the name and address of the person to whom the permit is granted, the address of the premises for which the same is issued, and such other pertinent data as may be required by the Health Officer.

(2) ~~Separate permit required.~~ A separate permit shall be required for each swimming pool or beach operated or to be operated by any person.

(3) ~~Issuance, inspection and approval.~~ A permit shall be issued on application, after inspection and approval by the Health Officer; provided, that the swimming pool or beach has been constructed under plans approved by the State Health Commissioner and under a permit issued by the city-county building department and that its operation complies with this article.

(4) ~~Renewal, denial, revocation.~~ No permit or renewal thereof shall be denied or revoked on arbitrary or capricious grounds.

(5) ~~Application forms, contents of forms.~~ Application for such a permit shall be made to the health officer on forms provided by the health officer for such purpose. Such forms shall, when completed, show the name of the applicant, address, the name under which he or it intends to operate, the address of the establishment, the approval of plans by the state health commissioner and the issuance

of a construction permit by the city-county building department.

(6) Transfer. Permit not Transferable: No permit issued under this article chapter to any person shall be transferable.

(7) Permit Fees.

Every applicant for a permit under this article chapter shall pay to the Port Wayne-Allen County Board of Public Health a fee of seventy-five one hundred dollars for each pool and beach open each year for six months or less and a fee of one-hundred-fifty one hundred seventy-five dollars for each pool or beach open for the entire year.

Permit Fee Exemption: The permit fee provisions of this article chapter shall not apply to swimming pools and beaches operated by religious, educational, and charitable institutions or governmental units.

Two or more swimming pools or beaches located upon the same property and operated by the same person shall be deemed a single pool or beach for permit fee purposes.

Section 27-25. Same - Suspension, Revocation and Re-instatement of permits:

(a) Suspension of Permit: Any permit issued under this article chapter may be temporarily suspended by the health officer without notice of hearing, except as herein provided, for a period of not to exceed 30 days, for any of the following reasons:

(1) Failure to meet any of the standards required by this article chapter:

(2) Violation of any provision or provisions of this article chapter:

(3) Interference with the health officer of any of his authorized representatives in performance of their duties; provided, that if such failure, violation or interference is not such that continuation thereof may constitute an immediate danger to public health, forty-eight hours written notice to comply shall first be given: provided that upon written application from the permittee, served upon the health officer within 15 days after such suspension, the health officer shall conduct a hearing upon the matter after at least 5 days written notice of the time, place and purpose thereof to the suspended permittee; provided that any such suspension order shall be issued by the health officer in writing and served upon the permittee or by delivery by certified mail to such address.

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3 (b) Revocation of Permit: Any permit issued hereunder
4 may be revoked by the health officer for will-
5 ful or continuous violation of any provision
6 or provisions of this article; provided, however,
7 that no such revocation shall be ordered by the
8 health officer except upon hearing and at least
9 ten days written notice of the time, place and
10 nature thereof. Such notice shall be served
11 upon the permittee by leaving a copy at his usual
12 place of business or by delivery by certified
13 mail to such address. At such hearing, every
14 person who is a party to such proceedings shall
15 have the right to submit evidence and to cross-examine
16 witnesses and to be represented by counsel. All
17 such hearings shall be conducted in an informal
18 manner, but irrelevant, immaterial or unduly
19 repetitious evidence shall be excluded. Upon the
20 conclusion of such hearing, the health officer
21 shall make a final order determining the issue
22 in the case, which order shall be final and
23 conclusive upon all parties: provided, however,
24 that such order may be reviewed as hereafter
25 provided. Any person aggrieved by such an
26 order of the health officer shall be entitled
27 to a review of such order before the board of
28 health, by filing a written application therefor
29 with the secretary of ~~such~~ said board within
30 15 days after such order is issued. Upon receipt
31 of such application, the board of health shall
32 hear the matter de novo in open hearing for
33 which at least 10 days notice of the time, place
34 and purpose thereof shall be issued by the
35 secretary of the board to all persons affected.
Such notice may be served upon the persons affected by leaving a copy at their usual place of business or by delivery by certified United State mail to such address. At such hearing, the same rules or procedure shall apply as in the case of the hearing before the health officer; provided, only that upon written demand by the permittee affected, the board of health shall cause the proceedings before it to be recorded by a stenographer or reporter employed for such purpose, and such proceedings together with all papers and documents filed therein, shall be reproduced by the board in the form of a transcript, a copy of which shall be available to any party. The expense of such proceedings shall be charged to the party applying for the review, except that copies of transcripts shall be at the expense of the party obtaining such copies. The board may require the party applying for a review to deposit with such application an amount determined by it as necessary to secure such expense. The board shall make written findings of the facts in the case and shall enter its final order or determination of the matter in writing in the permanent records of the board.

36 (c) Reinstatement of Permit: Any person whose permit
37 has been suspended at any time may make application
38 for the reinstatement of his permit.
39

Section 27-26. Sanitation and safety.

(a) ~~Compliance-with-and-determination-of-sanitary-and-safety-requirements.~~

All swimming pools and beaches shall comply with the accepted and prevailing sanitary and safety requirements. In determining the accepted and prevailing requirements for pools, the health officer shall be governed by the regulations of the Indiana State Board of Health H.S.E. 16-R or as the same may be hereafter changed or amended. Such regulations are by reference incorporated herein and made part hereof, two copies of which shall be on file in the office of the city clerk and the city-county board of health for public inspection. The same sanitation standards applicable to the auxiliary facilities of swimming pools, such as dressing rooms, toilets, bathing suits, etc., shall be applied to such auxiliary facilities of beaches.

(b) ~~Location-of-beaches-restricted.~~ Beaches shall not be located in areas subject to pollution by sewage. In determining the accepted and prevailing sanitary standards for beaches, the sanitary officer shall be governed by the coliform index as conducted by the methods described in "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by American Public Health Association, American Waterworks Association, and Federation of Sewage in Industrial Wastes Association, current edition.

(c) Whole body contact: The fecal coliform content (either in the MPN or MH count) shall not exceed 200 per 100 ml as a monthly geometric mean based on not less than 5 samples per month; nor exceed 400 per 100 ml in more than 10 percent of all the samples taken during the month. The months of April through October, inclusive, are designated as the recreational season for beaches.

Section 27-27. Inspection.

(a) Frequency of Inspection: The health officer shall inspect swimming pool or beach for which a permit is required under the provisions of this article at least once each month during the season for which the pool is open, and may require tests and reports each week.

(b) Procedure when violations noted: If during the inspection of any swimming pool or beach, the health officer discovers the violation of any of the sanitary requirements in Section 27-26 he shall issue a written order listing such violations to the operator or, in his absence, to the person in charge and fixing a time within which the said operator of said swimming pool or beach shall abate and remedy such violations. A copy of the written order shall be filed in the records of the health department.

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3 (c) Authority to inspect and to copy records. The
4 operator of the swimming pool or beach shall,
5 upon the request of the health officer, permit
6 access to all parts of such swimming pool or
7 beach and shall permit copying any or all
8 records relating to the enforcement of this
9 article.

7 (d) Inspection outside of the city. Any person
8 desiring inspection of a pool or beach outside
9 of the city shall pay to the city a fee of
10 fifteen dollars for each inspection requested.

10 Section 27-31. Prosecution of violators.

11 If upon a second inspection the health officer
12 finds that any swimming pool or beach, which
13 was in violation on a previous inspection,
14 and concerning which a written order was
15 issued, is again in violation of any of the
16 provisions of this article the health officer
17 shall furnish evidence of the violation to the
18 city attorney, who shall prosecute all persons
19 violating said provisions of this article.

16 Section 27-32. Penalty.

17 Any person who violates any provision of this
18 chapter shall be subject to a penalty of not
19 more than three hundred dollars for each offense.
20 Each and every violation of the provisions of
21 this chapter and each day that the same continues
22 shall constitute a separate offense.

20 Section 27-33. Severability of provisions of sections
21 27-22 to 27-31.

22 Should any section, paragraph, sentence, clause
23 or phrase of sections 27-22 to 27-31 be adjudged
24 invalid or unconstitutional for any reason,
25 the remainder of such sections shall not be
26 affected thereby.

24 Section 2. This Ordinance shall be in full force and
25 effect after its passage, approval by the Mayor and legal
26 publication thereof.

28 _____
29 Councilman

30 *Approved as to legality*
31 *M. Salin*

33 Approved as to form and legality
34 this 15th day of June, 1979.

34 *John H. Logan*
35 John H. Logan, Attorney for Common Council.



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk - room 122

July 9, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 12 and July 19- 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN.

Bill No. G-79-05-26
(as amended)
General Ordinance No. G-14-79
(Regarding swimming pools)

Bill No. G-79-04-08
General Ordinance No. G-13-79
(vacation of a road)

Please send us eight copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 26th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-05-26 (as amended) -- General Ordinance No. G-14-79, being AN ORDINANCE AMENDING ARTICLE III CHAPTER 27, SECTIONS 27-22, 27-23; 27-24; 27-25; 27-26; 27-27; 27-31; 27-32; AND ADDING SECTION 27-33 OF THE CODE OF THE CITY OF FORT WAYNE OF 1974.

Notice is hereby given that on the 26th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-79-04-08 -- General Ordinance No. G-13-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain road.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-79-05-26 (as amended) -- General Ordinance No. G-14-79 and Bill No. G-79-04-08 -- General Ordinance No. G-13-79, were passed by the Common Council on the 26th day of June, 1979, said Ordinances were duly signed and approved by the Mayor on the 5th day of July, 1979, and now remains on file and on record in my office.

Copy of Bill No. G-79-05-26 (as amended) -- General Ordinance No. G-14-79 and Bill No. G-79-04-08 -- General Ordinance No. G-13-79, will be posted for reading in the following places in Fort Wayne Allen County, Indiana.

- (1) The Main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. G-79-05-26 (as amended) -- General Ordinance No. G-14-79 and Bill No. G-79-04-08 -- General Ordinance No. G-13-79, will be available for reading in the following places in Fort Wayne Allen County, Indiana

- (1) The Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana


Charles W. Westerman - City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 12, 1979.


Charles W. Westerman - City Clerk

Common Council

(Governmental Unit)

Allen

County, Ind.

To **JOURNAL-GAZETTE** Dr.**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

66**9****75****COMPUTATION OF CHARGES**

75 lines, **1** columns wide equals **75** equivalent lines at **.259** \$ **19.43**
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) **6 extra copies @.50** **3.00**
21.43

TOTAL AMOUNT OF CLAIM.

\$

DATA FOR COMPUTING COST

Width of single column 9.9 cms

Size of type **5 1/2** point**2**

Number of insertions

Size of quad upon which type is cast **5 1/2**

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **July 19 79**, 19Title **CLERK****PUBLISHER'S AFFIDAVIT**State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, **ARVILLA DEWALD** who, being duly sworn, says that she is **CLERK** of the

JOURNAL-GAZETTE
DAILY newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** town

in state and county aforesaid, and that the ~~two times~~ matter attached hereto is a true copy, which was duly published in said paper for ~~the~~ dates of publication being as follows: **7/12 - 7/19/79**

Subscribed and sworn to before me this

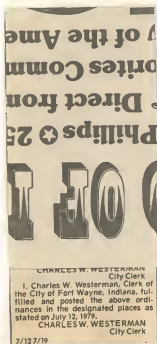
19 th

day of

September 28, 1979

Notary Public

My commission expires



Common Council

(Governmental Unit)

To..... **NEWS-SENTINEL**Dr.**Allen**

County, Ind.

FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

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I hereby certify that the foregoing is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

*V. E. Gerken*Title..... **CLERK****PUBLISHER'S AFFIDAVIT**State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned..... **V. E. GERKEN**who, being duly sworn, saysthat she is..... **CLERK**of the**NEWS-SENTINEL****DAILY**a..... newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** town of.....in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**, the dates of publication being as follows:**7/12 - 7/19/79**Subscribed and sworn to before me this **19 th** day of **July**, 19 **79**

Notary Public

My commission expires **September 28, 1979**

Notice is hereby given that on the 26th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-05-26 (as amended) - General Ordinance No. G-14-79, being AN ORDINANCE AMENDING ARTICLE III, CHAPTER 27, SECTIONS 27-22, 27-23, 27-24, 27-25, 27-27, 27-31, 27-32, AND ADDING SECTION 27-33 OF THE CODE OF THE CITY OF FORT WAYNE OF 1974.

Notice is hereby given that on the 26th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-04-08 - General Ordinance No. G-13-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain road.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-79-05-26 (as amended) - General Ordinance No. G-14-79 and Bill No. G-79-04-08 - General Ordinance No. G-13-79, were passed by the Common Council on the 26th day of June, 1979, said Ordinances were duly signed and approved by the Mayor on the 5th day of July, 1979, and now remains on file and on record in my office.

Copy of Bill No. G-79-05-26 (as amended) - General Ordinance No. G-14-79 and Bill No. G-79-04-08 - General Ordinance No. G-13-79, will be posted for reading in the following places in Fort Wayne Allen County, Indiana:

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- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 12, 1979.

CHARLES W. WESTERMAN
City Clerk

7/12/79

Common Council

(Governmental Unit)

Allen

County, Ind.

To **NEWS-SENTINEL** Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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75

COMPUTATION OF CHARGES

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TOTAL AMOUNT OF CLAIM.

\$ 22.43

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type **5 1/2** point

Number of insertions **2**

Size of quad upon which type is cast **5 1/2**

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date **July 19**, 19 **79**

Title **CLERK**

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, **V. E. GERKEN**, who, being duly sworn, says that she is **CLERK** of the

NEWS-SENTINEL

a **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**, the dates of publication being as follows:

7/12 - 7/19/79

Subscribed and sworn to before me this **19** day of **July**, 19 **79**

My commission expires **September 28, 1979**

Notary Public

Williams, 17, of 1210 Wells St.,
tal in serious condition.
nd attacked him, sending him
han's apartment Wednesday
reported walked into anothe
Attack by Two
17, Serious
m task force members.
ark and then to respond to
at calls for the two candi
too large.
other room may be sought if
ing, beginning at 7:30 p.m.,
n will be in room 106 at City-

ana, Room 122, City County Bui
ing, Fort Wayne, Indiana
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of
the City of Fort Wayne, Indiana, ful-
filled and posted the above ordi-
nances in the designated places as
stated on July 12, 1979.
CHARLES W. WESTERMAN
City Clerk
7/12/79

Common Council

(Governmental Unit)

To NEWS SENTINEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM.

21.43

\$

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Width of single column 9.9 cms

Size of type 12 point

Number of insertions 2

Size of quad upon which type is cast 3 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 19, 1979

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

COPY OF
SENT HERE

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times

the dates of publication herein
ana, Room 122, City County Building, Fort Wayne, Indiana
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do

filled and posted the above and notices in the designated places as stated on July 15, 1979.
CHARLES W. WESTERMAN
City Clerk
7/17/79

Notice is hereby given that on the 24th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-79-05-26 (as amended) - General Ordinance No. G-14-79, being an ORDINANCE AMENDING ARTICLE III CHAPTER 27, SECTIONS 27-21, 27-22, 27-24, 27-25, 27-27, 27-31, 27-32; AND ADDING SECTION 27-33 OF THE CODE OF THE CITY OF FORT WAYNE OF 1974.

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road
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. G-79-05-26 (as amended) - General Ordinance No. G-14-79 and Bill No. G-79-04-26 (as amended) - General Ordinance No. G-13-79, were passed by the Common Council on the 24th day of June, 1979, said Ordinances were duly signed and approved by the Mayor on the 5th day of July, 1979, and now

remains on file and on record in my office.
Copy of Bill No. G-79-05-26 (as amended) - General Ordinance No. G-14-79 and Bill No. G-79-04-26 (as amended) - General Ordinance No. G-13-79, will be placed for reading in the following places in Fort Wayne Allen County, Indiana:
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19th day of July 1979
Notary Public

My commission expires September 28, 1979

Common Council

(Governmental Unit)

To NEWS-SENTINEL

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra copies @ .50 3.00

TOTAL AMOUNT OF CLAIM.

21.43
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Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 19, 79Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. GERKEN, who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 7/12 - 7/19/79

Subscribed and sworn to before me this

19 th

day of July19 79

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 26th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-79-65-26 (as amended) - General Ordinance No. G-14-79, being AN ORDINANCE AMENDING ARTICLE III, CHAPTER 27, SECTIONS 27-22, 27-23, 27-24, 27-25, 27-27, 27-31, 27-32, AND ADDING SECTION 27-33 OF THE CODE OF THE CITY OF FORT WAYNE OF 1974.

Notice is hereby given that on the 26th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-79-64-06 - General Ordinance No. G-13-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain

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the SHOPPING CENTER that has E

79, 1979
Council or
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